



## **MINUTES**

**BRYAN BUILDING AND STANDARDS COMMISSION  
REGULAR MEETING  
MONDAY, AUGUST 26, 2013 – 6:00 P.M.  
COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING  
300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

On the 26<sup>th</sup> day of August, 2013, the Building and Standards Commission of the City of Bryan, Texas convened in Council Chambers of the Bryan Municipal Building at 6:00pm.

**BSC Members Present:**

Daryl Massey  
Victor Drozd  
Charles Munday  
Richard Ravey  
James Cain

**Staff Members and Others:**

Greg Cox, Chief Building Official  
Martin Zimmermann, Planning Administrator  
Jonathan Koury, Assistant City Attorney  
Fred Taylor, Deputy Fire Marshall  
Jerry Fagan, Community Improvement Specialist  
Charmaine McKinzie, Dev. Serv. Representative

Disclaimer:     *The meeting minutes herein are a summarization of meeting procedures, not a verbatim transcription.*

**1. CALL TO ORDER.**

Chairperson Massey called the meeting to order at 6:02pm

**2. RECOGNITION OF AFFIDAVITS FILED IN RESPONSE TO STATE LAW ON DISCLOSURE OF LOCAL OFFICIAL'S CONFLICT OF INTEREST.**

There were none.

**3. APPROVAL OF MINUTES FROM THE REGULAR MEETING ON JULY 22, 2013.**

**Commissioner Munday moved to approve the regular meeting minutes from July 22, 2013.  
Commissioner Drozd seconded the motion.**

**The motion passed with a unanimous vote.**

**4. OPENING STATEMENT FROM THE CHAIRPERSON.**

Chairperson Massey read the opening statement.

**5. SWEARING IN OF ALL PRESENT AND INTENDING TO TESTIFY.**

Chairperson Massey swore in everyone in the audience that was planning on speaking concerning any of the properties on this meeting agenda.

**6. REQUESTS TO DECLARE THE FOLLOWING BUILDINGS UNSAFE AND TO ORDER THE SAME TO BE VACATED, REPAIRED, SECURED OR DEMOLISHED – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (The order of hearings during this meeting is subject to change without notice, anyone wishing to speak at a hearing should be present at the start of the meeting. Commission makes final determination; appeals may be directed to district court).**

**f. Meiller Mobile Home Park**  
**Owner: Ted J & Mildred M Meiller**  
Meiller Addition, being part of 1.00 ac. Zeno Phillips, Block 1, Lot 1

**1. Case # 1861 – 1405 Groesbeck Street**  
**Owner: Ted J & Mildred M Meiller**  
Meiller Addition, Block 1, Lot 1

Mr. Zimmermann presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Mr. Pierce P Stacy III, 3608 E 29<sup>th</sup> Street, Bryan TX, advised the Commission that he is an attorney for Peterson Law Group and representing Mr. Ted Meiller. Mr. Stacy stated that he is not here to contest the recommendation of demolition, but is asking for 90 days to sell or demolish the structure.

Responding to a question from the Commission, Mr. Stacy stated that to demolish the house would be part of the contract, if they sell the property, or if the property is not sold then the house would also be demolished within 90 days.

Chairperson Massey closed the public hearing.

**Commissioner Drozd moved to accept staff's recommendation with the revisions that this building is unsafe and that the Commission issue an order to the owner, lienholder or mortgagee to secure the structure within 7 days, and demolish/remove the structures and accessory structures within 90 days. Commissioner Ravey seconded the motion.**

**The motion passed with a unanimous vote.**

**2. Case # 1861A – 1405 Groesbeck Street #A**

**Owner: Ted J & Mildred M Meiller**  
Meiller Addition, Block 1, Lot 1(Mobile Home)

Mr. Zimmermann presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Mr. Pierce P Stacy III, 3608 E 29<sup>th</sup> Street, Bryan TX, advised the Commission that he is an attorney for Peterson Law Group, and he is here representing Mr. Ted Meiller. Mr. Stacy stated that the utilities have been removed and that they agree with staff's recommendation.

Chairperson Massey closed the public hearing.

**Commissioner Drozd moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner, lienholder or mortgagee to secure the structure within 7 days, and demolish/remove the structures within 30 days. Commissioner Cain seconded the motion.**

**The motion passed with a unanimous vote.**

- c. **Case 1955 – 305 Ehlinger Drive**  
**Owner: D. Keith Sewell**  
Munnerlyn Village, Block B, Lot 11

Mr. Zimmermann presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Mr. Chris Dunn, 3202 Nueburg, College Station, TX, stated that he is here representing the owner. Mr. Dunn also stated that they had secured the property, and opened up walls as requested, so that the Fire, and the Inspector could explore what repairs would have to be done to bring up to code.

Mr. Greg Cox, Chief Building Official, stated that the structure is structurally sound, and he did speak with Mr. Dunn today, about the timeline the City is recommending.

Responding to a question from the Commission, Mr. Dunn stated that he agreed with the timeline that the City recommends.

Chairperson Massey closed the public hearing.

**Commissioner Drozd moved to accept staff's recommendation that the building is unsafe and that the Commission issue an order to the owner, lienholder or mortgagee to secure the building within 7 days, and repair the building within 90 days, in accordance with the repair schedule recommended by staff, and to appear before the Commission during its first regular meeting of 2014 to demonstrate compliance with the time schedule. Commissioner Ravey seconded the motion.**

**The motion passed with a unanimous vote.**

**d. The Grove Apartments**

- 1. Case # 1906 – 3130 E. 29<sup>th</sup> Street**  
**Owner: Wilshire Skyline Texas LLC**  
Lots 2 and 3 in Block 1 of The Grove Subdivision – Phase 1
- 2. Case # 1906A – 3132 E. 29<sup>th</sup> Street**  
**Owner: Wilshire Skyline Texas LLC**  
Lot 1 in Block 1 of The Grove Subdivision – Phase 1

Mr. Zimmermann presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Mr. Greg Cox, Chief Building Official, stated that this is a big project and had a lot of issues, the stairs have been repaired, we were waiting on the Engineers Report, but they just received it, and we are waiting on the completion of the interior repairs. Mr. Cox also advised that they have been making good progress.

Responding to a question from the Commission, Mr. Cox stated that the units that needed repair are currently vacant.

Mr. Michael Bernstein, 6406 Wilshire Boulevard, Los Angeles, CA, advised the Commission that they have tried to keep to the timeline, but due to other things that come up that needs to be repaired, they are doing it then. Mr. Bernstein also stated that he agrees with the timeline, and should have no problem finishing up by the end of the year.

Chairperson Massey closed the public hearing.

**Commissioner Drozd moved to accept staff's recommendation that the building is unsafe and that the Commission issue an order to the owner, lienholder or mortgagee to repair the building within 90 days, in accordance with the repair schedule recommended by staff, and to appear before the Commission during its first regular meeting of 2014 to demonstrate compliance with the time schedule. Commissioner Ravey seconded the motion.**

**The motion passed with a unanimous vote.**

- e. Case # 1806 – 1532 Dansby Street**  
**Owner: Oliver Lewis Estate**  
James Addition, Block 1, Lot 15-18

Mr. Zimmermann presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Ms. Theresa Nutall, 3501 Reno Drive, Bryan TX, advised the Commission she agrees that the structure needs to be demolished, but is requesting 90 days, since she is doing it herself.

Chairperson Massey closed the public hearing.

**Commissioner Drozd moved to accept staff's recommendation with revision that this building is unsafe and that the Commission issue an order to the owner, lienholder or mortgagee to demolish/remove the structures within 90 days. Commissioner Munday seconded the motion.**

**The motion passed with a unanimous vote.**

- g. Case # 1949 – 2701 S. College Avenue/105 A Bizzell Street**  
**Owner: Andrew Jensen, Trustee**  
Beckwith, Block 1, N ½ of Lot 1

Mr. Zimmermann presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Mr. Andrew Jensen, 402 N Coulter, Bryan, TX, advised the Commission that he would like to repair the structure, and that he has been trying to get bids. Mr. Jensen showed a picture of a pier & Beam footing that could repair the lean to the structure.

Responding to a question from the Commission, Mr. Greg Cox, Chief Building Official stated the structure is sitting on the ground, the structure is leaning, and the total repair estimate would be over 60% of the value.

Mr. Greg Cox, stated that an inspector met Larry Daniel and he was told that an engineer's report was needed.

Mr. Fred Taylor, Deputy Fire Marshall, stated that if the structure was not occupied, they would not go in.

Responding to a question from the Commission, Mr. Jensen said he didn't want to spend over \$6,000.00 – 7,000.00, if estimates come in over that then we will demolish. Mr. Jensen asked the Commission if he could have an additional 30 days to get the estimates of repair.

Responding to a question from the Commission, Mr. Cox stated for what it is appraised at, he didn't think it would be feasible to repair. Mr. Cox also stated that the inspector went over everything that needed to be done with Mr. Jensen.

Chairperson Massey closed the public hearing.

**Commissioner Drozd moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner, lienholder or mortgagee to vacate the building within 30 days, and demolish/remove the structures within 30 days. Commissioner Munday seconded the motion.**

**The motion passed with a unanimous vote.**

- i. Case 1965 – 1203 Hall Street**

**Owner: J. Lark & Mildred King**

Nall's Addition, Block B, Lot 12

Mr. Zimmermann presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Mr. Jerry King, 1203 Hall Street, Bryan Texas, stated that he does not own the house, but he is living in the house. Mr. King went on to say that he is trying to get out and into an apartment.

Responding to a question from the Commission, Mr. King stated that he is fine with demolishing the house.

Chairperson Massey closed the public hearing

**Commissioner Ravey moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner, lienholder or mortgagee to vacate the structure within 30 days, and demolish/remove the structures within 60 days. Commissioner Munday seconded the motion.**

**b. Case # 1829 – 606 W. 17<sup>th</sup> Street**

**Owner: Mary Gatlin**

City of Bryan Townsite, Block 203, Lot 1-2 & pts of 3 & 8-10

Mr. Zimmermann presented the staff recommendation, stating because of the historical value of this structure, and that Ms Mary Gatlin is ill, and they have secured the structure. Staff recommendation would be to bring this back at a later date if necessary.

**a. Case # 1741 – 608 N. Sims Avenue**

**Owner: Kenneth R & Janice Cavitt**

City of Bryan Townsite, Block 164, Lot 6 & pt of Alley

**h. Park Place Mobile Home Park – 2303 Bomber Drive**

**Owner: Jason Millsap**

Lakeview North Addition, Block 3, Lot 11 (1.26 acres)

**1. Case 1962 – 2303 Bomber Drive #4**

**Owner: Beatrice M Gonzales**

**j. Cedar Tree Acres Mobile Home Park – 507 Palasota Drive**

**Owner: Jason Millsap**

Zeno Phillips League, Abstract No. 45 (2.81 acres)

**1. Case 1967 – 507 Palasota Drive #30**

**Owner: Cristina Sanchez**

**Commissioner Drozd moved to accept the City's recommendations for agenda items 6.a., 6h1., and 6.j1. Commissioner Ravey seconded the motion.**

**The motion passed with a unanimous vote.**

- 7. STAFF ANNOUNCEMENTS (This item includes introductions of new employees, meeting reminders, upcoming events, and staff recognition).**

- A. The next regular meeting is scheduled for 6p.m. on Monday, October 28, 2013 in Council Chambers, Bryan Municipal Office Building, 300 S. Texas Avenue.**

Mr. Zimmermann reminded the Commission of the next regular meeting date.

- 8. FUTURE AGENDA ITEMS (A Commissioner may request that a subject for which notice has not been given be placed on an agenda for future meeting).**

No future agenda items were requested.

- 9. ADJOURN.**

Without objection Chairman Massey adjourned the meeting at 7:05pm.

These minutes shall serve as the official findings of the City of Bryan Building and Standards Commission, as approved on this the **28<sup>th</sup> day of October, 2013.**

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Daryl Massey, Chairperson  
Building and Standards Commission  
City of Bryan, Texas

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Greg Cox, Chief Building Official and  
Secretary to the Building and Standards  
Commission